

Important information about prescribed offences:

If you have been convicted of any of the offences listed below, you are **not entitled** to be licensed as a security and/or investigation agent or be a director of a body corporate that is a security and/or investigation agent.

Schedule 1 of the Regulations, *Security and Investigation Agents Act 1995*.

1 - Licences - Section 9(1)(b) and 9(2)(b)(i)

- (1) An offence to which this subclause applies is prescribed for the purposes of section 9(1)(b) and 9(2)(b)(i) of the Act in relation to any function to be authorised by a licence if -
 - (a) a sentence of detention or imprisonment of more than 30 months was imposed in respect of the offence; or
 - (b) the offence was committed by a minor and-
 - (i) in the case of a minor dealt with in relation to the offence as an adult - the conviction was within the previous 10 years; or
 - (ii) in any other case - the conviction was within the previous 5 years; or
 - (c) the offence was committed by an adult and the conviction was within the previous 10 years.
- (2) Subclause (1) applies to the following offences:
 - (a) an indictable offence;
 - (b) common assault or an offence of violence;
 - (c) an offence against the *Controlled Substances Act 1984* involving a prohibited substance or a drug of dependence, other than a simple cannabis offence within the meaning of section 45A of that Act;
 - (d) an offence against the *Firearms Act 1977*, other than an offence against section 15C, 18, 21A, 21AB or 26 of that Act;
 - (e) an offence against section 15 or 15A of the *Summary Offences Act 1953*;
 - (f) an offence against the *Police Act 1998*;
 - (g) an offence against the *Listening and Surveillance Devices Act 1972*;
 - (h) an offence against the *Telecommunications (Interception) Act 1979* of the Commonwealth;
 - (i) an offence against the Act or these regulations or the repealed *Commercial and Private Agents Act 1986* or regulations made under that Act;
 - (j) an offence substantially similar to any of the above offences against the law of another place.
- (3) The following offences are prescribed for the purposes of section 9(1)(b) and 9(2)(b)(i) of the Act in relation to any function to be authorised by a licence if the conviction was within the previous 5 years:
 - (a) a summary offence against Part 5 of the *Criminal Law Consolidation Act 1935*;
 - (b) an offence substantially similar to the above offence against the law of another place.
- (4) Subclause (2)(g) and (h) do not apply in relation to a licence subject to a condition limiting the functions that may be performed under the authority of the licence to controlling crowds.